

**Village of La Grange
Plan Commission
Regular Meeting of January 14, 2020**

A regular meeting of the Plan Commission for the Village of La Grange was held at 7:30 p.m. on Tuesday, January 14, 2020 on the second floor Auditorium Room of the Village Hall, 53 S. La Grange Road, La Grange, Illinois.

I. CALL TO ORDER AND ROLL CALL OF THE PLAN COMMISSION

Chairman Paice called the meeting to order at 7:30 p.m.

Verify Quorum

Upon roll call the following were:

Present: Egan, Paice, Wentink, Mosher, O'Connor

Absent: Hoffenberg and Schwartz

Community Development Director Charity Jones, Village Planner Heather Valone and Village Attorney Mark Burkland were also present.

II. APPROVAL OF MINUTES – DECEMBER 10, 2019

Commissioner Wentink made a motion, seconded by Commissioner Egan to approve the minutes from December 10, 2019 with no changes. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

III. PUBLIC HEARINGS

A. PC CASE #252 – TEXT AMENDMENTS RELATING TO THE LA GRANGE ZONING CODE PROPOSED BY VILLAGE STAFF (CONTIUED)

Chairman Paice called for a motion to continue the public hearing for PC Case #252.

Commissioner O'Connor made a motion, seconded by Commissioner Egan to continue the public hearing for PC Case #252. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Staff Presentation

Mrs. Valone, Village Planner, said at the last meeting, staff had brought the last set of the proposed text amendments before the Commission. The Commissioners had requested some additional information on one proposed amendment, which staff has brought back this evening and staff has some additional information gathered since the last meeting. The first one item was in regards to patios. She showed on the overhead the definition of patio. At the last meeting it was discussed that since the Zoning Code already contained a definition for driveway, a definition for patio was being proposed, there should also be a definition for service walk. She then showed on the overhead the definition for service walk.

Plan Commission Discussion

Chairman Paice asked if there were any questions for staff from the Commission.

Commissioner O'Connor asked if they will still have a property in La Grange that has an improvement that could fall into both definitions for patio and service walk.

Mrs. Valone stated the purpose of the definitions are so they differentiate between the items. For the purpose of permit review, the definition would help assist staff especially in the residential district where they run into certain structures being combined. They also proposed a maximum width to differentiate between the patios and service walks. Patios do not have the designated maximum width but more of an intended use. A service walk has an intended use but the proposed definition defines a maximum width to further differentiate the two structures.

Commissioner Egan asked if the purpose of this is because a patio has to be setback so many feet from a property line.

Mrs. Valone said that is correct.

Commissioner Mosher asked if concrete falls under other masonry materials.

Mrs. Valone stated yes it does.

Commissioner Wentink asked if service walks can go up to the lot line.

Mrs. Valone said yes they can.

Chairman Paice asked if there were any further questions. None responded. He then called for a motion for recommendation since there was nobody in the audience for public comment.

Plan Commission Recommendation

Commissioner Egan made a motion, seconded by Commissioner Mosher to recommend to the President and Board of Trustees approval of the definitions for

patios and service walk as defined in Table 1 of staff's packet. A roll call vote was taken:

Ayes: Egan, Mosher, Wentink, O'Connor, Paice

Nays: None

Motion passed

Chairman Paice asked for staff to make their presentation in regards to live entertainment.

Mrs. Jones, Community Development Director, said since the December Plan Commission meeting staff has worked with the Police Department on revamping the noise regulations. What staff plans on presenting to the Village Board for their consideration is a noise control framework that is based on a reasonable person's standard as opposed to a technical approach, which is what the current code is. The current technical approach requires you to have a decibel meter and trained staff in order to actually enforce the regulations. Most communities have moved away from that approach and more towards a reasonable person approach. It might say "noise cannot be heard where it is clearly audible from a distance of a certain amount of feet from the source of the noise". This approach is easier to enforce and it allows the police officer or the code enforcement officer to be this reasonable person. The Police Department does not have the technology or the training to use a technical approach.

When looking at the Plan Commission's discussion from December, staff would like the Plan Commission to consider a more incremental change to the temporary live entertainment language of the Zoning Code until they have time to enforce these new regulations. They do not get a lot of noise complaints. If they are going to add new rights for businesses that they do not currently enjoy for the amount of outdoor live entertainment they can have, staff would prefer to get more data and see how these regulations are going to play out. Staff is recommending to make the live entertainment inside the buildings a permitted as of right use. However, for the outdoor live entertainment leave it at the current limit of eight times per year as a temporary use permit that is approved by the Village Manager. Staff can bring this back to the Commission once they get a chance to go through this process and gather some data. There are not many businesses that can accommodate live entertainment and for those that do staff gets very little requests.

Chairman Paice asked if any of the Commissioners had any questions for staff.

Commissioner Egan asked when will the new noise regulation go into effect.

Mrs. Jones stated they plan on proposing the new ordinance to the Village Board at the same time with these new amendments.

Commissioner Mosher asked how is the Nixon's Lobster Fest different than this.

Mrs. Jones said that is a special event permit. There are two special events that benefit just a single business and those are this Lobster Fest and Palmer's St. Patrick's Day. They are mostly on private property but they do take up a portion of the Village's parking lot. All of the other special events that are on public property are either contained in a sidewalk café area and are a community driven special event.

Commissioner O'Connor asked how would it be handled if Barrel House Social wanted to have a band in their back area.

Mrs. Jones stated it would be a temporary use and that would be allowed up to eight times a year. It is reviewed and approved by the Village Manager. This allows them to take a look at things like how big is the band and type. It also allows them to control how many performances are allowed in one night.

Commissioner O'Connor said he agrees with this until they can see how popular it becomes.

Mrs. Jones also suggested that they specify live music rather than live entertainment.

Commissioner Wentink asked if they had to have a temporary permit to play recorded music.

Mrs. Jones stated they do not.

Chairman Paice asked if there were any further questions for staff. None responded. He then called for a motion for recommendation since there was nobody in the audience for public comment.

Plan Commission Recommendation

Commissioner Egan made a motion, seconded by Commissioner O'Connor to recommend to the President and Board of Trustees approval to allow indoor live music as of right and outdoor live music up to eight times a year as a temporary use permit and if one chooses to do it more than eight times a year then a special use will need to be applied for. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

IV. GENERAL DISCUSSION

Mrs. Valone said staff will more training for the Commissioners next month if they do not get any other applications. She will keep the Commissioners posted.

V. PUBLIC COMMENTS

None

VI. ADJOURNMENT

Chairman Paice called for a motion to adjourn the meeting.

Commissioner O'Connor made a motion, seconded by Commissioner Mosher to adjourn the meeting at 7:56 p.m. A voice vote was taken:

Ayes: All

Nays: None

Motion passed

Minutes prepared by Peggy Halper